

Mingxing Jia 7/07/22
Signature 签名 Date 日期

176 ELDRIDGE ST APT BA
Street Address 街道地址

NY, NY 10002
City 城市 State 州 ZIP 邮编



FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUL 13 2022 ★
BROOKLYN OFFICE

917-703-6661
Best Telephone Number(s) 电话号码

Email 电子邮件

512 Avenue U, Brooklyn, NY 11223
Work Location(s) 工作地点

8/26/2019
Employment Start Date 雇佣开始日期

8/08/2020
Employment End Date 雇佣结束日期

THE LAST DAY TO FILE THIS CONSENT TO JOIN LAWSUIT FORM IS
08/02/2022

提交本同意加入诉讼表格的最后一天是 **08/02/2022**

CONSENT TO JOIN LAWSUIT FORMS FILED AFTER THE ABOVE DATE WILL BE REJECTED.

在上述日期之后提交的加入诉讼表格的同意书将被拒绝。

IF YOU WISH TO JOIN THE ABOVE-CAPTIONED CASE YOU MUST MAIL THE ENCLOSED CONSENT TO JOIN LAWSUIT FORM POSTMARKED BY [08/02/2022]

如果您希望加入上述诉讼，您必须邮寄随附的加入诉讼同意书，邮戳日期为
[08/02/2022] 之前

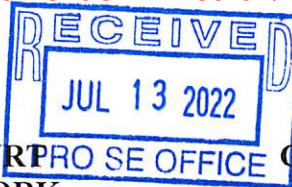
Mail to / 邮寄至:

CLERK OF COURT

**United States District Court, Eastern District of New York
225 Cadman Plaza East, Brooklyn, New York 11201**

**RE: NYED 21-cv-03832 LIN, et al. v. FUJI HANA RESTAURANT CORP
d/b/a Fuji Hana Kosher Japanese Restaurant d/b/a Fuji Hana et al**

5732+42



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

美国地区法院 纽约东区

Case No. 21-cv-03832

案号: 21-cv-03832

-----X
DESHENG LIN,
YUN YAN GAO, and
SIU NA CHAN,
*on behalf of themselves and on behalf of others similarly
situated*
代表他们自己和其他类似情况的人

Plaintiffs, 原告

v.

FUJI HANA RESTAURANT CORP d/b/a Fuji Hana
Kosher Japanese Restaurant d/b/a Fuji Hana *et al*
Defendants. 被告

**COURT AUTHORIZED
NOTICE OF 29 U.S.C. § 216(b)
COLLECTIVE ACTION**

法院批准的关于29 U. S. C. §
216(b) 集体诉讼的通知

**IMPORTANT NOTICE
ADVISING YOU OF YOUR
RIGHTS**

关于您及您合法权
利的重要通知

If you worked for FUJI HANA RESTAURANT CORP
d/b/a Fuji Hana Kosher Japanese Restaurant d/b/a Fuji
Hana, located at 512 Avenue U, Brooklyn, NY 11223, you
are eligible to join this lawsuit.

如果您曾就职于地址为 512 Avenue U, Brooklyn, NY
11223 的 FUJI HANA RESTAURANT CORP d/b/a Fuji
Hana Kosher Japanese Restaurant d/b/a Fuji Hana, 您有
资格参加本诉讼。

The Court Authorized this Notice.

法院批准了本通知。

This is not a Solicitation from a Lawyer

这不是来自律师的请求

THIS NOTICE is meant to advise you of your right to participate in this lawsuit as a claimant and plaintiff under the Fair Labor Standards Act if you worked for Defendants at any time from July 07, 2018 to the present and were not paid minimum wage for all hours worked and/or were not paid overtime for all hours worked over 40 in any given workweek.

本通知旨在告知您, 如果您在 2018 年 7 月 7 日至今的任何时间曾为被告工作且

未至少获得最低工资或在一周内工作超过 40 小时没有付加班费，您有权根据《公平劳动标准法》作为原告参与本诉讼。

Plaintiffs DESHENG LIN, YUN YAN GAO, and SIU NA CHAN worked for Defendants and has brought this action on behalf of all other current and former employees who have worked for Defendants at 512 Avenue U, Brooklyn, NY 11223 since July 07, 2018.

原告 DESHENG LIN、YUN YAN GAO 和 SIU NA CHAN 曾为被告工作，并代表自 2018 年 7 月 7 日以来在 512 Avenue U, Brooklyn, NY 11223 为被告工作的所有其他现任和前任雇员提起诉讼。

The lawsuit seeks monetary damages under the federal Fair Labor Standards Act and the New York Labor Law for, among other things, allegedly owed minimum wages and overtime wages. Defendants deny these allegations.

该诉讼根据联邦公平劳动标准法和纽约劳动法寻求金钱赔偿，其中包括涉嫌拖欠最低工资和加班工资。被告否认这些指控。

Federal law prohibits Defendants from retaliating against you or discriminating against you if you wish to join this lawsuit.

如果您希望加入本诉讼，联邦法律禁止被告对您进行报复或歧视您。

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
您在本诉讼中的合法权利和选择	
ASK TO BE INCLUDED 选择加入诉讼	If you wish to be included, you must complete the form at the end of this Notice. 如果您希望加入本诉讼，您必须完成附在本通知最后的同意参与诉讼的表格。
DO NOTHING 不采取任何行动	If you do nothing, you will not be part of the lawsuit. This means if the lawsuit is successful, you will not collect any money from it. 如果你什么都不做，你就不会成为诉讼的一部分。这意味着如果诉讼成功，您将不会从中收取任何款项

Your options are explained in this notice. To ask to be included in this lawsuit, you must act before **08/02/2022**

本通知中解释了您的选择。如果您要求加入本次诉讼，您必须在 **08/02/2022** 之前采取行动

1. What is this lawsuit about? 这个法律诉讼是关于什么的？

This lawsuit is about whether the Defendants properly paid its employees in accordance with the federal Fair Labor Standards Act and the New York Labor Law. In the portion of the lawsuit brought under the Fair Labor Standards Act, the lawsuit alleges, among other things, that Defendants (i) failed to pay employees the full minimum wage for all hour worked and (ii) failed to pay overtime for all hours worked over 40 in any given workweek.

本诉讼旨在审理被告是否根据美国联邦和纽约州的劳动法给付了雇员法定工资。在本案根据联邦《公平劳动标准法》的诉求部分，原告指控被告未向员工支付所有工时的最低工资，并且对于每周超过40小时的超时工时，未支付超时费用

Defendants deny these allegations.

被告否认这些指控。

2. Do I Qualify to Join the Lawsuit? 我有资格参加诉讼吗?

You are getting this notice because Defendants' records show that you work or worked for Defendants at some time from July 07, 2018 through the present.

您收到此通知是因为被告的记录显示您曾在 2018 年 7 月 7 日至今为被告工作或曾为被告工作过。

3. What damages is the lawsuit seeking? 诉讼寻求什么样的损害赔偿?

The lawsuit is seeking to recover, among other things, unpaid minimum wages, unpaid overtime pay, and "liquidated damages," which double the amount of wages owed. The lawsuit is also seeking recovery of costs and attorneys' fees.

本诉讼要求被告赔偿未支付的超时工资，以及相当于所欠工资一倍的罚金。本诉讼也要求被告须承担与本诉讼相关的支出和律师费。

4. What happens if I join the lawsuit? 如果我加入这个法律诉讼会怎样?

If you choose to join this lawsuit, you will be bound by any ruling, settlement or judgment, whether favorable or unfavorable. You will also share in any proceeds from a settlement or a favorable judgment.

如果您选择加入本诉讼，不论这个判决或者和解协议是对您有利的或者不利，您必须遵守服从关于本案联邦法律部分的任何法院判决、裁定及或当事人之间可能的和解协议。此外，你也将有权从和解金额或者所判决的赔偿中获得相应的经济补偿。

While this lawsuit is pending, as part of the discovery process, you may be asked to provide documents or information relating to your employment with Defendants, which may include responding to written questions or answering questions in person under oath, either before or at trial. For this reason, if you join the lawsuit, you should preserve all documents relating to the Defendants currently in your possession. You also may be asked to sit for a

deposition scheduled at your convenience and/or asked to testify at a trial in the EASTERN DISTRICT OF NEW YORK Courthouse.

在法院未对本诉讼做出任何实质性裁决之前，作为调查取证的一部分，您可能被要求提供有关您与被告之间存在雇佣关系相关的文件和信息，这可能包括在庭审前或者庭审中回答书面问题，或者亲自宣誓作证。正是因为这样，如果您选择加入诉讼，您应当妥善保存好您有的所有和被告相关的文件。此外，您可能被要求被问话，或者在纽约东区联邦法院出庭作证。

5. Can Defendants and/or my current employer retaliate or fire me if I join the lawsuit? 如果我加入诉讼，我现在的雇主可以报复或解雇我吗？

No. It is a violation of federal law for Defendants to fire, discipline, or in any manner discriminate or retaliate against you for taking part in this lawsuit.

不可以。被告以您加入本案为由，解雇、惩罚、或者以任何方式歧视或者报复您的行为是违反联邦法律的。

6. Can I participate in this lawsuit, even though, due to my immigration status, I did not work or am not working for Defendants legally? 如果我曾经/现在以无证移民身份为被告工作，我也可以加入诉讼吗？

Yes. Your immigration status does not affect your entitlement to recover back wages or to participate in the lawsuit.

可以。您的移民身份不影响您获得工资赔偿和加入本诉讼的权利。

7. How do I ask the Court to include me in the lawsuit? 如何才能要求法院把我加入这个诉讼？

Enclosed is a form called the "Plaintiff Consent Form." If you choose to join the lawsuit, it is extremely important that you read, sign, and promptly return the Plaintiff Consent Form.

附在本通知最后的是一个叫做“同意参与诉讼表”的表格。如果您选择加入这个诉讼，那么您必须阅读，签名，并且尽快的寄回这个“同意参与诉讼表”。

An addressed and postage paid envelope is enclosed for your convenience. Should the enclosed envelope be lost or misplaced, the Plaintiff Consent Form must be sent to the following address:

为方便您的回复，本通知附带了一个已经写好回邮地址并且已经付了邮寄费用的信封。如果这个附带的写好回邮地址并已付邮资的信封丢失了或者找不到了，这个“同意参与诉讼表”必须被送到以下这个地址：

CLERK OF COURT

United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: NYED 21-cv-03832
LIN, et al. v. FUJI HANA RESTAURANT CORP
d/b/a Fuji Hana Kosher Japanese Restaurant d/b/a Fuji Hana et al.

Your signed and filled-out Plaintiff Consent Form must be made returnable to the Clerk of Court (address above) and postmarked by **08/02/2022**. If your signed and filled-out Plaintiff Consent Form is not postmarked by **08/02/2022**, you may not be able to participate in the federal law portion of this lawsuit or share in a monetary damage. You can also fax the Plaintiff Consent Form to (718) 762-1342 or scan and email it to troylaw@troypllc.com.

您填写并签名的原告同意书必须以邮戳、传真或电子邮件的方式发送 **08/02/2022**。如果您签署并填写的原告同意书没有在 **08/02/2022** 上加盖邮戳、传真或通过电子邮件发送，您可能无法参与本诉讼的联邦法律部分或分担金钱损失。您也可以将原告同意书传真至 (718) 762-1342 或将其扫描并通过电子邮件发送至 troylaw@troypllc.com。

8. Do I have an attorney in this lawsuit? 我在本案中有律师吗?

The Plaintiffs in this lawsuit are represented by Troy Law, PLLC, 41-25 Kissena Boulevard, Suite 103, Flushing, New York 11355, (718) 762-1324.

本诉讼的原告由蔡鸿章律师事务所，41-25 Kissena Boulevard, Suite 103, Flushing, New York 11355, (718) 762-1324 代表。

You may choose to be represented by Plaintiffs' counsel in this case. However, you also have the right to hire any attorney of your choice to represent you in this matter. However, if you choose not to be represented by Troy Law, PLLC, you will need to confer with the attorneys you are hiring regarding their costs and fees.

在本案中，您可以选择由原告的律师代理。但是，您也有权聘请您选择的任何律师在本诉讼上代表您。但是，如果您选择不由 Troy Law, PLLC 代理，您将需要与您雇用的律师就其费用进行协商。

10. How will the attorneys be paid? 律师费由谁支付?

If you choose to be represented by Troy Law, PLLC, their costs and fees will be paid out of any settlement or money judgment Plaintiffs receive against Defendants. If there is no settlement or money judgment, Troy Law, PLLC will not receive any fee. You will not be required to pay anything out of pocket for services provided by Troy Law, PLLC.

如果您选择让原告律师来代理您，律师的费用将会从针对本案被告的和解金额或者原告收到的法院判决的经济赔偿中提取。如果本案没有和解或者没有判决经济赔偿给原告，蔡鸿章律师楼将不会收取您任何的费用。

If you select an attorney other than Troy Law, PLLC to represent you in this action, you may join this lawsuit by submitting an appropriate consent form directly to the Clerk of Court by the deadline indicated herein.

如果您选择委托蔡鸿章律师楼以外的其他律师代理您，您可以在截止日期前通过直接将“同意参与诉讼表”递交法官助理的方式加入本诉讼。

11. What happens if I do nothing at all? 如果我不采取任何行动会有什么后果?

If you do nothing, you will not be part of the lawsuit. This means that if the lawsuit is successful, you will not collect any money from it. It also means you will not be affected by any court decisions in the lawsuit, whether favorable or unfavorable.

如果您不采取任何行动，关于本案的任何和解协议和判决将不会对您产生约束，无论这个和解协议或者判决对您是有利的还是不利的。

12. How can I obtain additional information? 我怎样才能获得更多信息?

Further information about this Notice, the deadline for joining the lawsuit, the form provided or answers to other questions concerning this lawsuit may be obtained by contacting the Troy Law, PLLC at (718) 762-1324. Substantive communications with Troy Law, PLLC for the purpose of obtaining legal advice are presumed **privileged and confidential** and will not be disclosed to anyone without your permission.

有关本通知的更多信息、加入诉讼的截止日期、提供的表格或对有关本诉讼的其他问题的回答，请致电 (718) 762-1324 联系蔡鸿章律师楼。为获得法律建议与 Troy Law, PLLC 进行的通信是具有特权和保密性的，未经您的许可不会向任何人洩露。

This notice has been authorized by the court.

本通知已获法院授权。

This notice and its contents have been authorized by a federal judge for the United States District Court for the Eastern District of New York. The Court has not yet ruled on whether Plaintiffs' claims or Defendants' defenses have any merit. However, the Court is not giving any advice on whether you should or should not join the lawsuit.

本通知及其内容已获得美国纽约东区地方法院联邦法官的授权。法院尚未裁定原告的指控或被告的辩护是否有任何依据。但是，法院并未就您是否应该加入诉讼提供任何建议。

Please do not write or call the court about this notice.

5732+42

PLAINTIFF CONSENT FORM 原告同意书

IF YOU RECEIVED THIS FORM AND WANT TO JOIN THIS LAWSUIT, PLEASE COMPLETE THESE TWO STEPS:

如果您收到此表格并想加入此诉讼，请完成以下两个步骤：

- A. COMPLETE AND SIGN THIS PLAINTIFF CONSENT FORM; AND
A. 填写并签署本原告同意书； 和
- B. USE THE ENCLOSED ENVELOPE TO RETURN THIS FORM TO THE
ADDRESS BELOW NOT LATER THAN **08/02/2022**
B. **08/02/2022** 前使用随附的信封将此表格寄回以下地址。

I consent to be a party plaintiff in the lawsuit *LIN, et al. v. FUJI HANA RESTAURANT CORP d/b/a Fuji Hana Kosher Japanese Restaurant d/b/a Fuji Hana, et al.*, U.S. District Court, EASTERN DISTRICT OF NEW YORK, Civil Action No. 21-cv-03832 in order to seek redress for violations of the Fair Labor Standards Act, pursuant to 29 U.S.C. § 216(b).

我同意成为美国纽约东区地方法院民事诉讼第 21-cv-03832 号 *LIN, et al. v. FUJI HANA RESTAURANT CORP d/b/a Fuji Hana Kosher Japanese Restaurant d/b/a Fuji Hana, et al.* 的诉讼中成为原告以根据 29 USC 寻求对违反《公平劳工标准法》的行为要求补偿 § 216(b)。

Please check ONE of the following options:

请选择以下选项之一：

_____ I hereby designate Plaintiffs and their counsels Troy Law, PLLC (“the Firm”) to represent me and make decisions on my behalf concerning the litigation and any settlement. I understand that reasonable costs expended on my behalf will be deducted from any settlement or judgment amount on a pro rata basis among all other plaintiffs. I understand that the Firm will petition the Court for reasonable attorneys’ fees and expenses should this case settle or a money judgment is received and will receive a proportion of any such gross settlement or judgment amount. I agree to be bound by any adjudication of this action by a court, whether it is favorable or unfavorable.

☒ 我特此指定原告及其律师 Troy Law, PLLC (“本事务所”) 代表我并代表我就诉讼和任何和解作出决定。我明白代表我支出的合理费用将在所有其他原告中按比例从任何和解或判决金额中扣除。我明白，如果本案和解或收到金钱判决，律师楼将向法院请求合理的律师费和开支，并将收到任何此类总和解或判决金额的一部分。我同意受法院对该诉讼的任何裁决的约束，无论是有利的还是不利的。

_____ I wish to proceed with alternative counsel of my choosing, or on my own.

_____ 我想要选择自己的律师，或者代表我自己。

Jiang, Mingxing

Name (printed) 姓名 (工整书写)

Jiang, Mingqing

176 ELDRIDGE ST APT BA
NY, NY 10002

Case 1:21-cv-03832-NCM-JRC Document 34 Filed 07/13/22 Page 9 of 9 PageID #: 278

NEW YORK NY 100

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JUN 25 2022



SWSN
CLERK OF COURT
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: NYED 21-cv-03832
LIN, et al. v. FUJI HANA RESTAURANT CORP
d/b/a Fuji Hana Kosher Japanese Restaurant d/b/a Fuji Hana et al.

11201-181809

